

John P. Bostany

From: John P. Bostany [john@bozlaw.com]
Sent: Friday, September 14, 2007 5:41 PM
To: 'Marvin Bartel'
Subject: RE: GMA/ Eminent

Marvin

That is NOT acceptable. We believe that CHARLOTTE RONSON, like CHARLOTTE SOLNICKI, is a mark substantially indistinguishable from CHARLOTTE and is an infringing use. The injunction therefore cannot contain a section permitting you to use CHARLOTTE RONSON.

I await your advices.

JPB

From: Marvin Bartel [mailto:mbartel@bartelevents.com]
Sent: Friday, September 14, 2007 5:39 PM
To: john@bozlaw.com
Subject: GMA/ Eminent

John,

As you know already from our conversation, the language is **not** acceptable as it arguably would bar my client from selling products in the future with the Charlotte Ronson mark. My client would agree to cease selling Charlotte Solnicki products.

I will double check with my client but if we were to agree to any injunction I believe it would have to carve out Charlotte Ronson and "Charlotte styles" used by certain companies.

I will get back to you later today or early next week.

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From: John P. Bostany [mailto:john@bozlaw.com]
Sent: Friday, September 14, 2007 2:14 PM
To: Marvin Bartel
Subject: Solnicki

Hi Marvin

Here is the consent injunction we spoke about
Please let me know if this is acceptable before I contact my client
Thanks

JPB

10/26/2007

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GMA ACCESSORIES, INC.

Plaintiff,

CONSENT INJUNCTION
AS TO EMINENT

Civil Action No.: 07CV3219 (LTS)

- against -

BOP, LLC, GIRLSHOP, INC.,
SHOWROOM SEVEN STUDIOS, INC.,
JONATHAN SOLNICKI,
EMINENT and EMINENT, INC.

Defendants.

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WHEREAS, plaintiff has brought an action against EMINENT, INC., (hereinafter "EMINENT") seeking a permanent injunction and damages for the claims contained in the amended complaint; on consent and for good cause shown,

IT IS hereby ORDERED, ADJUDGED and DECREED that EMINENT, its owners, agents, employees and all those acting in concert or active participation with them are hereby permanently enjoined from the use of the word mark CHARLOTTE or any marks similar thereto or substantially indistinguishable therefrom, including CHARLOTTE SOLNICKI, in connection with the sale, purchase, transfer, marketing, advertising or distribution of any unauthorized goods.

Dated: New York, New York
June __, 2007

GARVEY SCHUBERT BARER

THE BOSTANY LAW FIRM

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SO ORDERED: _____
Hon. Laura Taylor Swain, U.S.D.J.